

### **ARGUMENTS**

The final Office Action mailed November 2, 2006 has been carefully considered in the Office Action. Claims 1-15 and 17-19 stand rejected. In addition, Claims 4 and 5 have been objected to. The Applicant has cancelled Claims 1 and 6 and have amended Claims 2, 3, 7-10, 14, 15, 17 and 18. The Applicant reserves the right to pursue all canceled claims in continuation and/or divisional applications. In addition, the Applicant has added new Claims 20 and 21. Reconsideration in view of the above amendments and following remarks is respectfully requested.

#### **Rejections under 35 USC 112**

Within the Office Action Claims 1-5 and 17-19 stand rejected under 35 USC. § 112 2<sup>nd</sup> paragraph as being indefinite for allegedly failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. The Applicant respectfully traverses. However, to expedite prosecution of the present application, the Applicant has cancelled Claims 1 and thus the rejection to Claim 1 is now moot. The Applicant has amended Claim 19 and submits the rejection has now been overcome. Accordingly, Applicant respectfully requests that the rejection be withdrawn.

#### **Rejection under 35 USC 102**

Claims 1, 2 and 6-13 have been rejected under 35 USC 102(b) as being allegedly anticipated by US Patent 1,900,081 to Swerer (hereinafter "Swerer"). The Applicant respectfully traverses the rejection. However, to expedite prosecution of this application, Claims 1 and 6 have been cancelled. Accordingly, the rejection is now moot and should be withdrawn.

Rejection under 35 U.S.C. § 103

Claims 3 and 14 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Swerer in view of U.S. Patent 6,484,363 to Chung. This rejection is respectfully traversed. However, as stated above, Claims 1 and 6 have been cancelled. Accordingly, the rejection on Claims 3 and 14 is now moot and should be withdrawn.

Within the Office Action, Claims 17-19 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Swerer. The Applicant respectfully traverses.

The Swerer reference relates to a door hinge which allows a door to be moved closer or farther away from a jamb to allow the door to swing open and closed after it expands and contracts due to changes in temperature and humidity. In particular, Swerer describes a first portion 4 of the hinge which is attached to a jamb 5, whereby the first portion 4 has sleeves 6. In addition, the device includes a second portion 1 which is attached to the door 2, whereby the second portion has circular sleeves 3. Sleeves 3 and sleeves 6 are eccentrically aligned and have eccentrics 7 and 8, respectfully, whereby the eccentrics 7 and 8 have bores which line up to allow a pin 9 to be inserted therethrough. This allows the door to open and close and be slightly offset from the jamb. When the user wants to move the door 2 closer to the jamb 5, he rotates the hexagonal pin 9 about its axis, whereby the eccentrics rotate about the pin axis to move the sleeves closer toward each other or further away from each other. This, in turn, causes the door 2 to respectively move closer or further away from the jamb 5.

An embodiment described in the present specification relates to the field of articulated junction devices adapted to connect a suspended structure to a load bearing structure via a horizontal axis. A way to transmit the loads to the load bearing structure utilizes the load bearing

structure with a first clevis that projects downwards, and a suspended structure with a second clevis that projects upwards, and in connecting the first and second devices by a member attached to the clevises by one or more horizontal pins. In the field of Applicant's device, very heavy loads are transferred vertically upwards, i.e. perpendicularly to the horizontal pins, from the suspended structure to the load bearing structure. To make such an articulated junction device more compact in a vertical direction, one having ordinary skill in this art would have exclusively considered the existing devices conceived to transfer heavy loads substantially in a vertical direction, perpendicular to the pins along the horizontal axis. This is clearly not the case of a door hinge such as described in Swerer. Indeed, a door hinge is characterized by the fact that its axis as well as the main loads are oriented in the same, vertical condition. Therefore, one skilled in the art viewing Swerer would not have found any motivation to have orient the door such that the force is applied in the vertical direction. In addition, one skilled in the art reviewing Swerer would not find the motivation of modifying Swerer to be a device made of two clevises connected by a shackle to mount a door on its support. For at least these reasons, claim 19 is patentable over Swerer.

Claims 17 and 18 are dependent on Independent Claim 19. As stated above, Claim 19 is allowable over Swerer. Accordingly, Claims 17 and 18 are allowable for being dependent on an allowable base claim.

#### New Claims

The Applicant has added new Claims 20 and 21, whereby Claim 20 incorporates the limitations in dependent Claim 4, whereas Claim 21 incorporates the limitations in dependent Claims 4 and 5. The Applicant submits that new Claims 20 and 21 are fully supported by the

specification and do not contain any new matter. Allowance of Claims 20 and 21 is respectfully requested.

Conclusion

It is believed that this response places the above-identified patent application into condition for allowance. Early favorable consideration of the application is earnestly solicited.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

Dated:

1/31/07

Respectfully submitted,



Suvashis Bhattacharya  
Reg. No. 46,554

THELEN REID BROWN RAYSMAN & STEINER LLP  
P.O. Box 640640  
San Jose, CA 95164-0640  
Tel. (408) 292-5800  
Fax. (408) 287-8040